

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: Kathleen L. Mason

Case No.: 17-12176

Judge:

Debtor(s)

Chapter:

13

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☒ Modified/Notice Required

☐ Modified/No Notice Required

☐ Discharge Sought

☐ No Discharge Sought

Date: 11-25-17

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM

Part 1: Payment and Length of Plan

- a. The Debtor shall pay 700.00 to the Chapter 13 Trustee, starting on 3/2017 for approximately 60 months
- b. The Debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future Earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property
Description: _____
Proposed date for completion: _____
- ☐ Refinance of real property
Description: _____
Proposed date for completion: _____
- ☐ Loan modification with respect to mortgage encumbering property
Description: _____
Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Cherry Hill Municipal Court	Taxes and certain other debts	0.00
Deptford Township Municipal Court	Taxes and certain other debts	0.00
Pennsauken Municipal Court	Taxes and certain other debts	0.00
State Of New Jersey	Taxes and certain other debts	0.00
Mark W. Ford	Attorney Fees	2900.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
-NONE-					

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in

Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
Ditech Financial LLC	1446 S. 9th Street Camden, NJ 08104	65,000.00	00	None	no value	n/a	0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor
-NONE-

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
CCMUA	1446 S. 9th Street, Camden, NJ 08104	0
City of Camden	1446 S. 9th Street, Camden, NJ 08104	0
City of Camden	1446 S. 9th Street, Camden, NJ 08104	0

Part 5: Unsecured Claims

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

_____ Not less than \$_____ to be distributed *pro rata*

_____ Not less than _____ percent

X *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
Ditech Financial	1446 S. 9th Street Camden, NJ 08104	65,000.00

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
			24,509.06

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Mark W. Ford
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
<u>Adding payment of attorney fees as priority</u>	<u>adding attorney fees</u>
Are Schedules I and J being filed simultaneously with this modified Plan?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date November 25, 2017

/s/ Mark W. Ford, Esq

Mark W. Ford, Esq

Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: November 25, 2017

/s/ Kathleen L. Mason

Kathleen L. Mason

Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Kathleen L. Mason
 Debtor

Case No. 17-12176-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 23

Date Rcvd: Mar 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 21, 2018.

db +Kathleen L. Mason, 1446 S. 9th Street, Camden, NJ 08104-1544
 cr City of Camden, City Attorney, City Hall, 4th Floor, Suite 419, PO Box 95120,
 Camden, NJ 08101-5120
 516628291 Allied Interstate, PO Box 1954, Southgate, MI 48195-0954
 516628293 Aspen Mastercard, PO Box 105555, Atlanta, GA 30348-5555
 516628294 CCMUA, PO Box 1105, Bellmawr, NJ 08099-5105
 516680485 +Camden County MUA, 1645 Ferry Ave, Camden NJ 08104-1311
 516628295 Cherry Hill Municipal Court, 820 Mercer Street, Cherry Hill, NJ 08002-2688
 516715131 City of Camden, Dept. of Water & Sewer, c/o Office of the City Attorney,
 Suite 419, City Hall, Camden, NJ 08101
 516628296 City of Camden, City Hall, Room 105, 6th & Market Sts., PO Box 95120,
 Camden, NJ 08101-5120
 516628298 +Deptford Township Municipal Court, 1011 Cooper Street, Deptford, NJ 08096-3076
 516628300 Midland Funding, LLC, C/O Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
 516628302 PNC Bank, PO Box 3429, Pittsburgh, PA 15230-3429
 516628303 +PSE&G, PO Box 14444, New Brunswick, NJ 08906-4444
 516628301 +Pennsauken Municipal Court, 2400 Bethel Avenue, Pennsauken, NJ 08109-2791
 516628304 State Of New Jersey, Dept. Of Labor And Workforce Development, PO Box 951,
 Trenton, NJ 08625-0951
 516628305 State Of New Jersey Motor Vehicle, Violations Surcharge System, PO Box 4850,
 Trenton, NJ 08650-4850
 516628306 Verizon, PO Box 4833, Trenton, NJ 08650-4833

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Mar 19 2018 23:54:19 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Mar 19 2018 23:54:16 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516652142 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Mar 20 2018 00:04:03
 American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848,
 Oklahoma City, OK 73124-8848
 516628299 +E-mail/Text: bankruptcy.bnc@ditech.com Mar 19 2018 23:53:58 Ditech Financial LLC,
 1400 Turbine Drive, Rapid City, SD 57703-4719
 516827619 E-mail/Text: bankruptcy.bnc@ditech.com Mar 19 2018 23:53:58
 Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154,
 Rapid City, South Dakota 57709-6154
 516802381 +E-mail/Text: bankruptcydpt@mcmcg.com Mar 19 2018 23:54:15 MIDLAND FUNDING LLC,
 PO BOX 2011, WARREN, MI 48090-2011

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516628292* Allied Interstate, PO Box 1954, Southgate, MI 48195-0954
 516628297* City of Camden, City Hall, Room 105, 6th & Market Sts., PO Box 95120,
 Camden, NJ 08101-5120
 516628307* Verizon, PO Box 4833, Trenton, NJ 08650-4833

TOTALS: 0, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 21, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 23

Date Rcvd: Mar 19, 2018

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 25, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor EVERBANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa ecmail@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecmail@standingtrustee.com,
summarymail@standingtrustee.com
Mark W. Ford on behalf of Debtor Kathleen L. Mason markfordlaw@juno.com,
dsorbello@MarkFordLaw.comcastbiz.net
Michelle Banks-Spearman on behalf of Creditor City of Camden MiSpearman@ci.camden.nj.us,
NaHarvey@ci.camden.nj.us;LyLaracu@ci.camden.nj.us;NoCarrer@ci.camden.nj.us
R. A. Lebron on behalf of Creditor DITECH FINANCIAL LLC bankruptcy@feinsuch.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8